



IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Serial No. : 09/403,940

Applicants : Ludwig WILDT et al.

Filed : January 12, 2000

For : DEVICE FOR DETERMINING
FLUCTUATIONS IN END
EXPIRATORY GASES, METHOD
FOR DETERMINING FLUCTUATIONS
IN RESPIRATORY METABOLISM AND
THE USE OF SAID DEVICE

Art Unit : 1743

Examiner : Gakh

Docket No. : 990667/RSB

Customer No.: 01933

Confirmation No.: 7875

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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CERTIFICATE OF MAILING

I hereby certify this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on the date noted below.

Attorney: Richard S. Barth

Dated: January 12, 2004 (Monday)

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

AMENDMENT UNDER 37 CFR 1.111

S I R :

Responsive to the Office Action mailed September 10, 2003 (Paper No. 13), the term for response to which is extended one month by a PETITION FOR EXTENSION OF TIME filed concomitantly herewith to expire on January 10, 2004 (Saturday) (due date: January 12, 2004), please amend the above-identified application as follows.

Amendments to the Abstract begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 8 of this paper.